

RESPONSE UNDER 37 CFR 1.116

EXPEDITED PROCEDURE

EXAMINING GROUP

PATENT

Client-Matter No.: 66742-026 (P-HR 5615)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of) Confirmation No: 6324
Yeaman and Shen	
) Group Art Unit: 1653
Serial No. 09/648,816)
) Examiner: C. M. Kam
Filed: August 25, 2000) CERTIFICATE OF MAILING BY "EXPRESS MAIL") "EXPRESS MAIL" MAILING LABEL NUMBER: EV 400 551 579 US DATE OF DEPOSIT: April 19, 2004
For: ANTIMICROBIAL PEPTIDES AND DERIVED METAPEPTIDES	I HEREBY CERTIFY THAT THIS PAPER OR FEE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE "EXPRESS MAIL POST OFFICE TO ADDRESSEE" SERVICE UNDER 37 CFR 1.10 ON THE DATE INDICATED ABOV AND IS ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA, VIRGINIA 22313-1450. Printed Name of Person Mailing Paper or Fee:
Mail Stop: AF Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Signature of Person Mailing Paper of Le

RESPONSE TO OFFICE ACTION

Responsive to the Office Action mailed February 17, 2004, Applicants respectfully request entry of the amendments and consideration of the following remarks.

Amendments to the Claims begins on page 2 of this paper.

Remarks begin on page 4 of this paper.

4-21-04

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AF 1653

AMENDMENT RAN	SMITTAL LETTER	CLIENT-MATTER NO.: 66742-026 (P-HR 5615)				
SERIAL NO: 09/648,816	FILING DATE: August 25, 2000	EXAMINER: C.M. Kam	GROUP ART UNIT: 1653 CONFIRMATION NO.: 6324			
INVENTION: ANTIMICROBIAL PEPTIDES AND DERIVED METAPEPTIDES						

Mail Stop: AF COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, VA 22313-1450

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ADDRESSED TO COMMISSIONER FOR PATENTS, P.O. BOX 1450, ALEXANDRIA,
VIRGINIA 22313-1450.

Printed Name of Person Mailing Paper or Fee: Leand Bantados

Transmitted herewith is Response to Office Action mailed February 17, 2004, in the above-identified application.

Small Entity status of this application has been established under 37 CFR 1.27.
 Petition for Extension of Time is enclosed (in duplicate).
 Terminal Disclaimer with fee under 37 C.F.R. 1.20(d) is enclosed.

An additional claims fee is required and has been calculated as shown below:

CLAIMS AS AMENDED

					CD/ III.	10	AS AWILINE				
	NUMBER		HIGHEST	NUMBER OF			RATE			FEE	
	AFTER AMEND- MENT		NUMBER PREVIOUSLY PAID FOR		EXTRA CLAIMS PRESENTED		SMALL ENTITY	OTHER ENTITY		SMALL ENTITY	OTHER ENTITY
TOTAL CLAIMS	4	•	66	-		х	\$9	\$18	=	\$	\$.00
INDEPE N- DENT	-										
CLAIMS	1	-	16	-	0	х	\$42	\$84	=	\$0.00	\$
FIRST PRE OF MULTI DEPENDE			YES		X NO		\$140	\$280	=	\$0.00	S
					TOTAL ADDI			\$	\$		

If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 20, write "20" in this space.

If the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 3, write "3" in this space.

No additional claims fee is required.

If the difference between the "NUMBER AFTER AMENDMENT" and the "HIGHEST NUMBER PREVIOUSLY PAID FOR" is less than 0, write "0" in the space.

Inventors:

Yeaman and Shen

Serial No.:

09/648,816

Filed:

August 25, 2000

Page 2

Please charge my Deposit Account No. * the amount of \$* which covers the fee for a *-
month extension of time. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge payment of any fees associated with this communication or credit any overpayment to Deposit Account No. 502624. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge to Deposit Account No. 502624 any fees under 37 CFR 1.17 which may be required under 37 CFR 1.136(a)(3) for an extension of time in any concurrent or future reply requiring a petition for extension of time. A duplicate copy of this sheet is enclosed.

Dated: April 19, 2004

Respectfully submitted,

Astrid R. Spain

Registration No. 47,956 Telephone (858)535-9001 Facsimile: (858)535-8949

McDERMOTT, WILL & EMERY 4370 La Jolla Village Drive, Suite 700 San Diego, California 92122